

# MINUTES OF THE WATER / TOWN BOARD MEETING OF JUNE 25, 2014

PRESENT:           Supervisor   Edward Fairbrother  
                  Council       Bob Adams  
                                  Lee Giammichele  
                                  Andy Gillette  
                                  Mike Saglibene  
                  Attorney     Thomas Reilly  
                  Clerk       Linda Cross

Supervisor Fairbrother called the Town Board meeting to order at 7:00 p.m., and requested those present to participate in the Pledge of Allegiance.

Presentation:   Comprehensive Plan Process and Next Steps  
By:           Nicolette Barber, AICP, LEED AP ND  
                  Hunt Engineering

Supervisor Fairbrother Temporary Closed the Town Board Meeting at 7:15 P.M., and opened the Water Board Meeting at 7:16 P.M.

## **WATER BOARD**

### UNFINISHED BUSINESS

#### RESOLUTION NO. 166-14 BID FOR EMERGENCY GENERATOR FOR WELL ONE AWARDED

Resolution by: Giammichele  
Seconded by: Gillette

WHEREAS the Chemung County Health Department has requested that a backup generator system was needed for at least one Town well, and

WHEREAS Well one in District one is not in any Flood Plain or Flood Way, and

WHEREAS Well one is the largest producing Well, and

WHEREAS Hunt Engineering designed and handled the three original Bid documents and bidding, and

<b><u>CONTRACTOR</u></b>	<b><u>BASE BID</u></b>
1. BOUILLE ELECTRIC INC.	\$124,740
2. MATCO ELECTRIC CORPORATION	\$114,600
3. VACRI CONSTRUCTION CORPORATION	\$ 89,902

WHEREAS Jeffery Everett, Senior Electrical Designer for Hunt Engineering has reviewed the Bids and determined that Vacri Construction Corporation was the low bidder and qualified electrical contractor, and

MINUTES OF THE WATER / TOWN BOARD MEETING OF JUNE 25, 2014

RESOLUTION NO. 166-14, BID FOR EMERGENCY GENERATOR FOR WELL ONE  
AWARDED continued

WHEREAS for environmental review purposes, purchasing is a Type II action in accordance with SEQRA 6 NYCRR, Part 617.5 (c) (25) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED that the Town of Big Flats awards the Bid to Vacri Construction Corporation, Binghamton, New York for \$89,902.00 and authorizes the Town Supervisor to sign the Notice of Award.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

Since there was no further business to come before the Water Board, Supervisor Fairbrother closed the Water Board meeting at 7:20 P.M.

**TOWN BOARD**

Supervisor Fairbrother reopened the Town Board meeting at 7:21 P.M.

CONCERNS OF THE PEOPLE - None

MINUTES

Councilperson Saglibene made a motion, seconded by Councilperson Adams to approve the minutes of May 28, 2014. All in favor, motion carried.

Councilperson Gillette made a motion, seconded by Councilperson Giammichele to approve the minutes of June 4, 2014 as presented. All in favor, motion carried.

Councilperson Gillette made a motion, seconded by Councilperson Adams to approve the minutes of June 11, 2014 as presented. All in favor, motion carried.

UNFINISHED BUSINESS

RESOLUTION NO. 167-14  
PAYMENT TO COMAX FOR DEMOLITION REMOVAL AND TRANSPORTATION OF  
DEBRIS FOR 78 HAMMOND STREET APPROVED

Resolution by: Saglibene  
Seconded by: Giammichele

WHEREAS the Big Flats Town Board determined that the structures at 78 Hammond Street were unsafe, and

WHEREAS the Town Board ordered the structures to be taken down, and

MINUTES OF THE WATER / TOWN BOARD MEETING OF JUNE 25, 2014

RESOLUTION NO. 167-14, PAYMENT TO COMAX FOR DEMOLITION REMOVAL AND TRANSPORTATION OF DEBRIS FOR 78 HAMMOND STREET APPROVED continued

WHEREAS the Asbestos was abated at 78 Hammond Street delaying the project, and

WHEREAS the Department of Public Works determined that this demolition project would put them too far behind their 2014 projects, and

WHEREAS for environmental review purposes, the civil or criminal enforcement proceedings...specifically required to be undertaken pursuant to a judgment or order is a Type II action in accordance with SEQRA 6 NYCRR, Part 617.5(c) (29) and as such, no further action is necessary regarding the same, now

THEREFORE BE IT RESOLVED that the Town Board authorizes the Town Supervisor to pay COMAX the sum of \$15,000 for removal and transportation of 98,000 pounds of construction debris to the Chemung County landfill.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

NEW BUSINESS

RESOLUTION NO. 168-14  
ABSTRACT OF AUDITED VOUCHERS FOR JUNE 25, 2014 APPROVED

Resolution by: Adams  
Seconded by: Gillette

RESOLVE that the Town of Big Flats approve the Abstract of Audited Vouchers for June 2014, vouchers 4003359 - 4003358 and order the bills paid, when in funds, for the following:

GENERAL FUND	\$124,522.04
HIGHWAY FUND	\$126,557.01
SEWER DISTRICT#1	\$ 1,321.46
WATER DISTRICT #1	\$ 4,269.76
WATER DISTRICT #2	\$ 14,825.47
WATER DISTRICT #3	\$ 2,140.34
WATER DISTRICT #4	\$ 590.15
LIGHTING DISTRICT	\$ 366.01
TRUST & AGENCY	\$ 7,227.36
DEBT SERVICE FUND	\$365,700.00

CARRIED: AYES: Gillette, Giammichele, Saglibene, Adams, Fairbrother  
NAYS: None

MINUTES OF THE WATER / TOWN BOARD MEETING OF JUNE 25, 2014

RESOLUTION NO. 169-14  
RESIGNATION OF JOHN DUFRENE WATER SUPERVISOR APPROVED

Resolution by: Giammichele  
Seconded by: Saglibene

WHEREAS a letter, dated June 10, 2014, has been received from John Dufresne resigning as Water System Supervisor, and

WHEREAS for environmental review purposes the Town Board finds this to be Type II administration action pursuant to 6NYCRR 617.5(c)(20) and as such, no environmental review is required for a Type II action, now

BE IT THEREFORE RESOLVED the Town Board acknowledges the resignation of John Dufresne an employee of the Town of Big Flats effective July 11<sup>th</sup>, 2014.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

RESOLUTION NO.170-14  
PUBLIC HEARING SET TO AMEND CHAPTER 2.16 OF THE TOWN OF BIG FLATS  
MUNICIPAL CODE APPROVED

Resolution by: Adams  
Seconded by: Gillette

Whereas the Town Attorney has determined that the Municipal Code needs to be changed for policy reasons, and

WHEREAS this provides legal defense and indemnification in civil actions against any employee, and

WHEREAS for environmental review purposes, interpreting an existing code, and adoption of regulations, policies, or procedures and local legislative decisions are Type II actions in accordance with SEQRA 6 NYCRR, Part 617.5 (c) (31, 27) and as such no further action is necessary regarding the same, now

BE IT THEREFORE RESOLVED that the Town Board sets July 9<sup>th</sup> at 4:30 P.M. for a Public Hearing for the proposed changes in the Municipal Code for the Town of Big Flats.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

MINUTES OF THE WATER / TOWN BOARD MEETING OF JUNE 25, 2014

RESOLUTION NO. 171-14

INTERMUNICIPAL AGREEMENT FOR ANIMAL CONTROL UNDER ARTICLE 26 OF  
THE AGRICULTURE AND MARKET LAW OF THE STATE OF NEW YORK APPROVED

Resolution by: Saglibene  
Seconded by: Giammichele

WHEREAS Article 26 of the Agriculture and Markets Law of the State of New York (“Article 26”) provides for the care and protection of “animals” as that term is defined in said article, and

WHEREAS the City currently employs animal control officers to perform Article 26 services for the City, and

WHEREAS the Town and City desire to enter into an Agreement in which the Town utilizes the services of the City to perform certain animal control services pursuant to Article 26 and this Agreement, and

WHEREAS the County has agreed to pay the City for the services it will render to the Town during the term of this Agreement, and

WHEREAS this Agreement is in the best interest of the Town, the City and the County because it promotes shared services in an effort to reduce costs to the Town and the City, and

THEREFORE BE IT RESOLVED the Town Board authorizes the Town Supervisor to enter into the attached Intermunicipal Agreement for Animal Control Services, with the City of Elmira.

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

RESOLUTION NO. 172-14

JUNE 25, 2014 COMMUNICATION LOG APPROVED

Resolution by: Gillette  
Seconded by: Adams

BE IT RESOLVED that the following communications were received, accepted and filed by the Town Clerk of the Town of Big Flats and referred to the appropriate Department Head for information and/or action:

June 5, 2014

Big Flats Business Association – RE: Meeting Minutes. *Referred to: filed with the Town Clerk.*

June 6, 2014

Elmira Corning Regional Airport – RE: Airport Economy Parking Lot Expansion II Projects. *Referred to: Code Enforcement, Assessor, Water Supervisor, DPW Department, Town Board, and filed with the Town Clerk.*

MINUTES OF THE WATER / TOWN BOARD MEETING OF JUNE 25, 2014

RESOLUTION NO. 172-14, JUNE 25, 2014 COMMUNICATION LOG APPROVED  
continued

June 12, 2014

Environmental Emergency Services, Inc., Chemung, Schuyler & Steuben Counties. RE: 2014 Budget Request. *Referred to: Town Board and filed with the Town Clerk.*

June 18, 2014

Time Warner Cable – RE: Programming Notice Changes (CNY/JT). *Referred to: Town Board, and Town Clerk for filing.*

June 18, 2014

Time Warner Cable – RE: Learn how to become a Time Warner Cable Vendor or Supplier. *Referred to: Town Supervisor, Town Board, and Town Clerk for filing.*

June 18, 2014

Susquehanna River Basin Commission RE: Total System Withdrawal Limit Exceedances: *Referred to: Code Enforcement, Assessor, Water Supervisor, DPW Department, Town Board, and filed with the Town Clerk.*

June 19, 2014

96<sup>th</sup> Infantry Division Association, Harry Merker RE: Only Confederate Flags hanging up on Flag Day at Tags. *Referred to: Town Board, and Town Clerk for filing.*

CARRIED: AYES: Gillette, Giammichele, Adams, Saglibene, Fairbrother  
NAYS: None

Supervisor Fairbrother reported on:

- Web update– Town of Big Flats Newsletter is now on our Website
- Bonding Update
- Sales Tax Update
- Susquehanna River Basin Commission update
- Consolidating Districts update
- Elmira Water Board
- Switzer Plant & Fees
- Phone updates – 4 quotes / looking over
- KVS Training
- Water Dept. Supervisor leaving
- 78 Hammond Street update
- Tag's Concert Parking
- Budgeting
- Credit Cards
- Insurance

Supervisor Fairbrother made a motion, seconded by Councilperson Giammichele to enter into an executive session at 8:18 P.M., for legal advice from the Attorney of the Town, and for one

MINUTES OF THE WATER / TOWN BOARD MEETING OF JUNE 25, 2014

particular personnel issue, with no action to be taken, and ask Andy Avery Commissioner of Public Works to attend. All in favor, motion carried

Supervisor Fairbrother reconvened the meeting at 8:44 P.M.

Councilperson Gillette made a motion, seconded by Councilperson Giammichele to adjourn the Town Board meeting at 8:45 P.M. All in favor, motion carried.

Date approved: \_\_\_\_\_

Linda J. Cross  
Town Clerk